

IN THE UNITED STATES PATENT AND PATENT  
TRADEMARK OFFICE

*Reply to Notification of Missing Requirements  
Under 35 U.S.C. 371 in the United States Designated/Elected Office  
(DO/EO/US)*

|               |                               |                   |               |
|---------------|-------------------------------|-------------------|---------------|
| Applicant(s): | Yoshitaka Nishio              | Docket No.:       | 49288.3300    |
| Serial No.:   | 10/596,879                    | Filed in U.S.:    | June 28, 2006 |
| TITLE:        | SCRIBE HEAD AND SCRIBE DEVICE | Group Art Unit:   | TBA           |
|               |                               | Confirmation No.: | 1802          |

Commissioner for Patents  
Mail Stop PCT  
Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on September 29, 2006, in the above-identified application, enclosed herewith are the missing requirements needed to complete filing of the subject patent application. Please note that this is being filed with a 1 month extension of time requested and the fee for such extension of time is indicated below.

**1. Small Entity Status**

[ X ] Small entity status under 37 C.F.R. §§1.9 and 1.27 has been indicated.

**2. Fee Calculation**

|   |   |       |    |   |     |                   |
|---|---|-------|----|---|-----|-------------------|
| Basic Fee (\$900.00) + surcharge (\$130)    |   |       |    |   | =   | \$1030.00         |
| Total Claims                                | 9 | minus | 20 | = | 0 x | \$50.00 = \$0.00  |
| Independent Claims                          | 1 | minus | 3  | = | 0 x | \$200.00 = \$0.00 |
| Multiple dependent claim fee, if applicable |   |       |    |   |     | \$360.00 + \$0.00 |
| Fee for exceeding 100 pages                 |   |       |    |   |     | \$0.00            |

Fee calculation, request for extension of time pursuant to 37 C.F.R. §1.136(a)

|   |   |            |   |        |
|---|---|------------|---|--------|
| <input checked="" type="checkbox"/> [ X ] | Missing parts filed within <b>first</b> month after due date – add  | \$ 120.00  | + | 120.00 |
| <input type="checkbox"/> [ ]              | Missing parts filed within <b>second</b> month after due date – add | \$ 450.00  | + | N/A    |
| <input type="checkbox"/> [ ]              | Missing parts filed within <b>third</b> month after due date – add  | \$1,020.00 | + | N/A    |
| <input type="checkbox"/> [ ]              | Missing parts filed within <b>fourth</b> month after due date – add | \$1,590.00 | + | N/A    |

**Subtotal:** 1150.00

If one of the “small entity” boxes above is checked, enter half (1/2) of the Subtotal and subtract. - 575.00

**Less \$450.00 charged to Snell & Wilmer’s**

**Deposit Account No. 19-2814 at the time of filing of the application** -450.00

**TOTAL FEES ENCLOSED:** 125.00

**3. Enclosures (check as applicable)**

- ☒ [ X] Notice of Missing Requirements (copy)  
☒ [ X] Executed Combined Declaration  
☐ [ ] Other:

**4. Manner of Payment**

☒ [ X] Please charge Deposit Account No. 19-2814 in the amount of \$ 125.00.

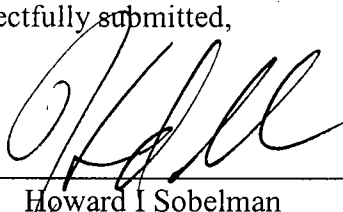
☐ [ ] Check in the amount of \$ \_\_\_\_\_ is attached (Snell & Wilmer Check No. \_\_\_\_\_).

**This statement does NOT authorize charge of the issue fee.** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any **deficiency** in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (**deficiency** only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-2814.

The Patent and Trademark Office is respectfully requested to send an Official Filing Receipt and Notice of Acceptance of Application for this matter to the undersigned attorney and forward the application for examination.

Respectfully submitted,

By



Howard I Sobelman  
Reg. No. 39,038

**SNELL & WILMER L.L.P.**  
One Arizona Center  
400 East Van Buren  
Phoenix, Arizona 85004-2202  
P: (602) 382-6228  
F: (602) 382-6070  
e-mail: [hsobelman@swlaw.com](mailto:hsobelman@swlaw.com)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/596,879                  | Yoshitaka Nishio      | 49288.3300       |

20322 W/S  
 SNELL & WILMER  
 400 EAST VAN BUREN  
 ONE ARIZONA CENTER  
 PHOENIX, AZ 85004-2202

RECEIVED

OCT - 9 2006

SNELL &amp; WILMER

INTERNATIONAL APPLICATION NO.

PCT/JP04/19655

I.A. FILING DATE

12/28/2004

PRIORITY DATE

12/29/2003

CONFIRMATION NO. 1802

371 FORMALITIES LETTER



\*OC000000020633891\*

Date Mailed: 09/29/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/28/2006
- English Translation of the IA filed on 06/28/2006
- Copy of the International Search Report filed on 06/28/2006
- Small Entity Statement filed on 06/28/2006
- U.S. Basic National Fees filed on 06/28/2006
- Priority Documents filed on 06/28/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

NOTED FOR RECEIPT

Response due 11/29/06

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/596,879                  | PCT/JP04/19655                | 49288.3300       |

FORM PCT/DO/EO/905 (371 Formalities Notice)